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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UELIAN DE ABADIA-PEIXOTO, <i>et al.</i> ,)	Case No. CV 11-04001 RS
)	
Plaintiffs,)	<u>CLASS ACTION</u>
)	
vs.)	JOINT STIPULATION AND
)	[PROPOSED] ORDER SETTING
UNITED STATES DEPARTMENT OF)	BRIEFING SCHEDULE FOR
HOMELAND SECURITY, <i>et al.</i> ,)	PLAINTIFFS' MOTION FOR
)	CLASS CERTIFICATION AND
Defendants.)	DEFENDANTS' MOTION TO
)	DISMISS

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1 WHEREAS, on August 15, 2011, Plaintiffs filed their Complaint against Defendants;

2 WHEREAS, on August 17, 2011, Plaintiffs filed their Motion for Class Certification and
3 noticed it for hearing on October 27, 2011;

4 WHEREAS, on September 8, 2011, Defendants filed their Motion Seeking Enlargement
5 of Time to File Opposition to Plaintiffs' Motion for Class Certification, and stated that
6 Defendants intended to file a Motion to Dismiss the Complaint;

7 WHEREAS, on September 12, 2011, Plaintiffs filed their Opposition to Defendants'
8 Motion for Enlargement of Time to File Opposition to Plaintiffs' Motion for Class Certification;

9 WHEREAS, pursuant to an Order by the Court on September 12, 2011, the parties
10 engaged in further meet and confer negotiations to attempt to agree on a briefing schedule for
11 both the motion for class certification and for any motion to dismiss, with a joint hearing to be
12 held no later than November 17, 2011;

13 IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned,
14 subject to the approval of the Court, as follows:

15 1. Defendants shall file and serve their Motion to Dismiss the Complaint on or
16 before October 11, 2011;

17 2. Defendants shall file and serve their Opposition to Plaintiffs' Motion for Class
18 Certification on or before October 14, 2011;

19 3. Plaintiffs shall file and serve their Reply in Support of their Motion for Class
20 Certification on or before October 24, 2011;

21 4. Plaintiffs shall file and serve their Opposition to Defendants' Motion to Dismiss
22 the Complaint on or before November 1, 2011;

23 5. Defendants shall file and serve their Reply in Support of their Motion to Dismiss
24 the Complaint on or before November 10, 2011;

25 6. A joint hearing on Plaintiffs' Motion for Class Certification and Defendants'
26 Motion to Dismiss the Complaint will be held on November 17, 2011.

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Dated: September 27, 2011

By: /s/ David J. Berger
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Dated: September 27, 2011

By: /s/ Jeffrey M. Bauer
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SIGNATURE ATTESTATION

I, David J. Berger, attest that I obtained the concurrence of Jeffrey M. Bauer in filing this document. I declare under penalty of the laws of the United States that the foregoing is true and correct.

Executed this 27th day of September, 2011 in Palo Alto, California.

/s/ David J. Berger

David J. Berger

[PROPOSED] ORDER

PURSUANT TO THE JOINT STIPULATION, IT IS SO ORDERED. The briefing schedule set forth above is hereby approved by the Court.

Dated: 9/27/11



Honorable Richard Seeborg
United States District Judge
Northern District of California